



ZPS
Docket No.: 1232-4755

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2622

Applicant(s) : YOKOTA et al.
Serial No : 09/925,856 Group Art Unit: 2851
Filed : August 9, 2001 Examiner: TBD
For : IMAGE SENSOR AND IMAGE READING APPARATUS

CERTIFICATE OF MAILING (37 C.F.R. §1.8(a))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I hereby certify that the attached:

1. Information Disclosure Statement,
2. Form PTO-1449 3 references cited therein,
3. Concise Explanation of Relevance for Cited Reference JPA 8-279885, and
4. Return Receipt Postcard

along with any paper(s) referred to as being attached or enclosed and this Certificate of Mailing are being deposited with the United States Postal Service on date shown below with sufficient postage as first-class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: April 26, 2004

By:

Stephen J. Manetta
Stephen J. Manetta
Registration No. 40,426

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): YOKOTA et al.

Group Art Unit: 2851

Serial No.: 09/925,856

Examiner: To be assigned

Filed: August 9, 2001

For: IMAGE SENSOR AND IMAGE READING APPARATUS

**CONCISE EXPLANATION OF RELEVANCE FOR
CITED REFERENCE JPA 8-279885**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

As referenced in the Information Disclosure Statement filed concurrently herewith, this Concise Explanation Of Relevance is being submitted in support thereof.

For reference JPA- 08-279885 (Item A on the PTO-1449), an English Abstract is provided for JPA 08-279885 (Item AA on the PTO-1449), as well as the Office Action issued by Japanese Patent Office on February 24, 2004 in Counterpart Japanese Patent Application No. 2000-245190 citing this reference (Item BB on the PTO-1449). In addition, for this reference, (JPA- 08-279885- Item A), a concise explanation of the relevance of that item is provided below.

While the Examiner is respectfully requested to fully consider the submitted items and to independently ascertain their teaching, Applicant respectfully submits that Japanese Patent Application Laid Open No. 8-279885 does not disclose that exit ports of a pair of illumination sections are formed such that a peak of exit light from a light guide included in each illumination section is farther than a focal position of a lens for an image sensing element with respect to the image sensing element, and the focal position is included in a beam crossing region of exit beams from the illumination sections.

Should additional information be required, the Examiner is invited to contact the undersigned.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: April 26, 2004

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Serial No.: 09/925,856

Examiner: TBD

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For: IMAGE SENSOR AND IMAGE READING APPARATUS

INFORMATION DISCLOSURE STATEMENT

Mail Stop _____
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on Form PTO-1449, a copy of which is enclosed, are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

1. ☒ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:
JPA 8-279885
2. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.
3. ☐ Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in application Serial No. _____, filed _____.
4. ☒ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
☐ 37 C.F.R. §1.97(b)(1), within three months of the filing date of a national application other than a CPA; or

- ☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application; or
- ☒ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits; or
- ☐ 37 C.F.R. §1.97(b)(4) before the mailing date of a first office action after the filing of an RCE under §1.114.
5. ☐ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):
- ☐ A check in the amount of \$180.00 is enclosed in payment of the fee.
- ☐ Charge the fee to Deposit Account No. 13-4500, Order No. _____. A
DUPLICATE COPY OF THIS SHEET IS ATTACHED.
7. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
- b. the fee due under 37 C.F.R. §1.17(p) which is paid as set forth in paragraph 11 below.
8. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
- a. ☐ 37 C.F.R. §1.313(b)(3) or §1.313(c)(1), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h);
- b. ☐ 37 C.F.R. §1.313(c)(2) or §1.313(c)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Request for Continued Examination (RCE) or a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h).

- c. ☐ The fees due under 37 C.F.R. §§1.17(h) and 1.17(p) are paid as set forth in paragraph 11 below.
9. ☒ I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- ☐ I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
10. ☐ This document is accompanied by ☐ a Search Report ☐ Communication which was cited in a corresponding ☐ PCT or ☐ Foreign counterpart application
11. ☐ A check in the amount of \$ _____ is enclosed in payment of the fees due under 37 C.F.R. §§1.17(h) and 1.17(p).
- ☐ Charge the fees due under 37 C.F.R. §§1.17(h) and 1.17(p) to Deposit Account No. 13-4500, Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1232-4755. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

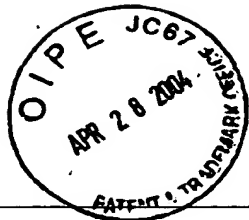
Dated: April 26, 2004

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FORM PTO-1449 INFORMATION DISCLOSURE CITATION				Attorney Docket: 1232-4755		Serial No.: 09/925,856	
				Applicant: YOKOTA et al.			
				Filing Date: August 9, 2001		Group Art Unit: To be assigned	
U.S. PATENT DOCUMENTS							
Examiner Initial		Patent Number	Publication Date	Name	Class	Sub- Class	Filing Date
FOREIGN PATENT DOCUMENTS							
Examiner Initial		Patent Number	Publication Date	Country	Class	Sub- Class	Translation
	A	08-279885	Oct. 22, 1996	Japan			<input type="checkbox"/> Yes <input type="checkbox"/> No
	B						<input type="checkbox"/> Yes <input type="checkbox"/> No
	C						<input type="checkbox"/> Yes <input type="checkbox"/> No
	D						<input type="checkbox"/> Yes <input type="checkbox"/> No
	E						<input type="checkbox"/> Yes <input type="checkbox"/> No
OTHER DOCUMENTS (Including Author, Title, Date, etc.)							
	AA	English Abstract for JPA 08-279885					
	BB	Office Action issued by Japanese Patent Office on Feb. 24, 2004 in Counterpart Japanese Patent Application No. 2000-245190					
	CC						
Examiner				Date Considered			
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.							